

To: Daly, Eric[Daly.Eric@epa.gov]
From: Kahn, Paul
Sent: Tue 8/16/2016 4:55:23 PM
Subject: Re: Mentoring-Permits and the NCP

TRY THIS VERSION ON FOR SIZE...

Good Morning:

I am the On-Scene Coordinator (OSC) with the US Environmental Protection Agency conducting a Superfund removal action at the Niagara Falls Boulevard Site (Rapids Bowling Alley & Greater Niagara Building Center). The Site is located at 9524 & 9540 Niagara Falls Boulevard Niagara Falls.

I DON'T THINK THEY NEED TO KNOW THIS

I have been communicating with local, county and state environmental/emergency response agencies throughout my assessment up until my recent start of the removal action. Attached is our most recent pollution report.

This project involves the removal of radioactive contamination from an office area in Greater Niagara Building Center. We've removed concrete and non-load bearing walls from this area and have had a structural engineer involved since we started planning the demolition of a portion of the building months ago. We have now started planning the reconstruction and I am using the same engineer to ensure that the new construction complies with applicable national and local building codes. However, as a federal OSC conducting a Superfund removal action, I am exempted by federal law from having to obtain state or local permits. This is per federal regulations found in the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). In anticipation of starting construction in the near future, I wanted to bring your department into the process, specifically, with regards to new electrical and plumbing. I know this may be difficult to envision, so I'd like to extend an invitation to you to come to the Site so I can show you what we've done and what our intentions are going forward.

I will be at the Site from now until August 25th and would appreciate it if you come here for a meeting. Our office trailers are on the east side of the Site, closet to the church.

For more specific information regarding permits I've included the relevant page from the NCP, the National Contingency Plan, 40 CFR §300.400,1, Subpart E—Hazardous Substance Response, which addresses the permit exemption provision.

Thank you very much for any consideration you can extend.

Regards,

Eric

Eric M. Daly
On-Scene Coordinator/Radiological Response Specialist
US Environmental Protection Agency- Region II

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From: Daly, Eric
Sent: Tuesday, August 16, 2016 9:54:35 AM
To: Kahn, Paul
Subject: Mentoring-Permits and the NCP

Good Morning Alpha:

Can you please confirm that I am explain this properly to the City of Niagara Code Enforcement personnel? We have to reconstruct a portion of a building that we are removing contamination out of. We have had a structural engineer involved since we started planning the deconstruction of the building. That engineer is working with us to bring the main structure to code...load bearing walls, support poles, concrete pour. However, we do need to put plumbing and electric back in. Even though we don't need permits, I believe they should be inspecting to ensure that the business owners can utilize the building, no? Basically, we are not paying for permits but we have to follow them and have the codes folks sign off, right?

Good Morning:

I am the US Environmental Protection Agency On-Scene Coordinator conducting a removal action at the Niagara Falls Boulevard Site (Rapids Bowling Alley & Greater Niagara Building Center). We are located at 9524 & 9540 Niagara Falls Boulevard Niagara Falls, Niagara County, New York. I have been communicating with local, county and state environmental/emergency response agencies throughout my assessment up until my recent start of the removal action. Attached is our most recent pollution report.

As a Federal OSC conducting a removal action, we do not have to obtain federal, state or local permits as per the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). However, we want to implement the local codes. We are removing contaminated material from an office area in Greater Niagara Building Center. We had to remove concrete and non-load bearing walls from this area. We have had a structural engineer involved since we started planning the deconstruction of the building months ago. We have now started planning with this engineer to bring this area to code in anticipation of reconstructing this office area. I wanted to bring your staff into our process. Specifically in regard to electrical and plumbing. I will be at the Site from now until August 25th and would appreciate a meeting. Our office trailers are on the east side of the

Site, closet to the church.

For more specific information on permits, I have included the page from the NCP.

National Contingency Plan

40 CFR Chapter 1, Subpart E—Hazardous Substance Response

§ 300.400, (e) Permit requirements

Regards,

Eric

"We must, indeed, all hang together, or assuredly we shall all hang separately", Benjamin Franklin

Eric M. Daly

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